

REMARKS

This responds to the Office Action mailed on June 3, 2008.

Claims 6, 20, 23, 25, 27 and 29 are amended, claims 2, 5, 7, 13-19, 24, 28, and 30 are canceled, and claim 32 is added; as a result, claims 1, 3-4, 6, 8-12, 20-23, 25-27 and 31 are now pending in this application.

Allowable Subject Matter

Claims 1-12 and 24 were allowed.

Dependent claim 24 depends on independent claim 20. Independent claims 20 and 29 were rewritten to include the limitations from the dependent claim 24. Applicant believes the independent claims 20 and 29 are now in a condition for allowance and requests these independent claims also be allowed.

Claims 21-23 and 25-27 depend upon amended independent claim 20. Applicant believes that the amendment to claim 20 has placed the dependent claims 21-23 and 25-27 in a condition for allowance and earnestly requests these claims also be allowed.

Claim Amendments

Claims 6, 10, 20, 23, and 25 were amended to improve the form of the respective claims. Applicant submits that with respect to the amendments made to improve form the scope of the subject matter claimed has not changed and the claim amendments have introduced and no new subject matter.

Claim 32 has been added. Applicant submits that claim 32 is a transformation in statutory class from the method of claim 1 to machine readable medium that, when executed by a machine causes a machine to carry out a process analogous to the method of already allowed claim 1. Accordingly, Applicant submits that claim 32 is in a condition for allowance and earnestly requests such allowance.

Serial Number: 09/733,767

Filing Date: December 8, 2000

Title: METHOD AND SYSTEM FOR CATEGORIZING ITEMS IN BOTH ACTUAL AND VIRTUAL CATEGORIES

§103 Rejection of the Claims

Claims 14-18 and 20-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ortega et al. (U.S. 6,489,968; hereinafter "Ortega") in view of Fohn et al. (U.S. 6,460,025; hereinafter "Fohn").

Applicant submits the rejection is moot in view of the cancellation of claims 14-18, 28 and 30 and the amendment of claim 20 which has been rewritten to include the limitations from dependent claim 24 as described above.

Applicant respectfully requests the rejection under §103 be withdrawn and the claims 20-24 and 25-27 be allowed.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4046 to facilitate prosecution of this application.

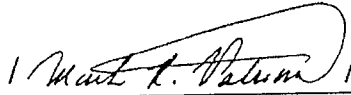
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 278-4046

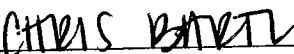
Date September 3, 2008

By


Mark R. Vatuone
Reg. No. 53,719

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3 day of September, 2008.

Name



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